

13281 U.S.PTO
110303

Atty. Dkt. No. 085747-0299

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEO
U.S.PTO
22386 10/699563
110303

Applicant: Bradford Van Wagenen et al.

Title: HETEROPOLYCYCLIC COMPOUNDS AND THEIR USE AS
METABOTROPIC GLUTAMATE RECEPTOR ANTAGONISTS

Prior Appl. No.: 10/076,618, filed 02/19/2002

Serial No.: Unassigned

Filed: 11/03/2003

CONTINUING PATENT APPLICATION
TRANSMITTAL LETTER

Mail Stop PATENT APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a:

[] Continuation [X] Division [] Continuation-In-Part (CIP)

of the above-identified copending prior application in which no patenting, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. § 120 for this continuing application. The entire disclosure of the above-identified prior application is considered as being part of the disclosure of the accompanying continuing application and is hereby incorporated by reference therein.

[] Applicant claims small entity status under 37 CFR 1.27.

Enclosed are:

- [X] Specification, Claim(s), and Abstract (313 pages).
- [X] Declaration and Power of Attorney (5 pages).
- [] Assignment of the invention to NPS PHARMACEUTICALS, INC..
- [X] Preliminary Amendment.
- [X] Application Data Sheet (37 CFR 1.76).

The PTO did not receive the following
listed item(s) preliminary Amendment

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$770.00	\$770.00
Total Claims:	82	- 20	= 62	x \$18.00	= \$1,116.00
Independents:	10	- 3	= 7	x \$86.00	= \$602.00
If any Multiple Dependent Claim(s) present:				+ \$290.00	= \$0.00
Surcharge under 37 CFR 1.16(e) for late payment of filing fee				+ \$130.00	= \$130.00
				SUBTOTAL:	= \$2,618.00
[] Small Entity Fees Apply (subtract ½ of above):					= \$0.00
				TOTAL FILING FEE:	= \$2,618.00

- [] A check in the amount of \$0.00 to cover the filing fee is enclosed.
- [X] The required filing fees are not enclosed but will be submitted in response to the Notice to File Missing Parts of Application.
- [] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 3 November 2003

By S.A. Bent

FOLEY & LARDNER
Customer Number: 22428
Telephone: (202) 672-5404
Facsimile: (202) 672-5399

Stephen A. Bent
Attorney for Applicant
Registration No. 29,768